



PATENT

Attorney Docket No. A-67279-8/RFT/RMK

Dorsey File No. 469443-63

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Horwitz

Serial No.: 10/650,157

Filing Date: August 27, 2003

For: *USE OF CYTOKINES AND
MITOGENS TO INHIBIT
PATHOLOGICAL IMMUNE
RESPONSES*

Examiner: To Be Assigned

Art Unit: To Be Assigned

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on November 26, 2003.

Signed: _____

Joyce Abriam

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the reference cited on the accompanying substitute for form PTO-1449. Copies of the references are enclosed herewith.

Further, in accordance with the provision of 37 C.F.R. §§ 1.97(c) and 1.97(e)(1), the undersigned certifies that references A1, B1, B2, B3, B4, C2 and C3 listed on the enclosed form PTO-1449 were cited in the International Search Report dated September 11, 2003, for a

Serial No.: 10/650,157
Filing Date: August 27, 2003

counterpart PCT application. A copy of the International Search Report for the counterpart PCT application is enclosed herewith.

Further, in accordance with the provisions of 37 C.F.R. § 1.98(a)(3) and MPEP § 609(III)(A)(3), Applicant submits that reference no. B4 is not in the English language and directs the Examiner's attention to the English language abstract of same and the English language search report enclosed herewith for a concise statement as to its relevance.

None of the foregoing references is believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

As far as is known to the undersigned, this supplemental Information Disclosure Statement is being filed within three months of the filing date of a national application, within three months of the date of entry of the national state in an international application, or before the mailing date of a first Office Action on the merits as set forth in 37 C.F.R. § 1.97(b), and therefore no fee is required.

While no fee is believed to be due, if this belief is in error the Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 469443-63 [A-67279-8]).

Serial No.: 10/650,157
Filing Date: August 27, 2003

Please direct any calls in connection with this application to the undersigned at
(415) 781-1989.

Respectfully submitted,
DORSEY & WHITNEY LLP

Dated: 11/26/03
Dorsey & Whitney LLP
Intellectual Property Department
Four Embarcadero Center, Suite 3400
San Francisco, CA 94111-4187
Telephone: (415) 781-1989
Facsimile: (415) 398-3249

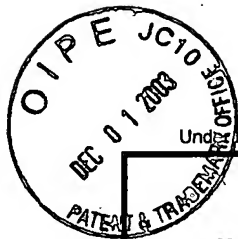
BY: 

Renee M. Kosslak, Reg. No. 47,717 for
Richard F. Trecartin, Reg. No. 31,801

Customer Number: 32940

Attachments:

Form PTO/SB/8A-B, Substitute for form PTO 1449
Eight (8) References
One (1) Abstract for Reference B4
Copy of International Search Report dated September 11, 2003



Substitute for form 1449A/PTO (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	10/650,157		
		Filing Date	August 27, 2003		
		First Named Inventor	Horwitz		
		Group Art Unit	Not Yet Assigned		
		Examiner Name	Not Yet Assigned		
Sheet	1	of	1	Attorney Docket Number	A-67279-8/RFT/RMK (469443-00063)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	U.S. Patent Document Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	US 2002/0034500 A1	03-21-2002	Levings et al.	
	A2				
	A3				
	A4				
	A5				
	A6				
	A7				
	A8				
	A9				
	A10				
	A11				

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document Country Code ² Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	B1	EP 0 497 275 A2	08-05-1992	Terumo Corp.		
	B2	EP 1 241 249 A1	03-12-2001	Schuler, Gerold		
	B3	WO 00/42856	07-27-2000	The Schepens Eye Research Institute, Inc.		
	B4	FR 2 824 567	05-11-2001	Institut National De La Sante Et De La Recherche Medicale Inserm		
	B5					
	B6					

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T
	C1	DEL ROSARIO, M. et al., "Prevention of Graft-Versus-Host Disease by Induction of Immune Tolerance With Ultraviolet B-Irradiated Leukocytes in H-2 Disparate Bone Marrow Donor", <i>Blood</i> , May 15, 1999, 93(10): 3558-3564.		
	C2	LEVINGS, M. et al., "Human CD25 ⁺ CD4 ⁺ T Regulatory Cells Suppress Naïve and Memory T Cell Proliferation and Can Be Expanded In Vitro without Loss of Function", <i>J. Exp. Med.</i> , June 4, 2001, 193(11): 1295-1301.		
	C3	YAMAGIWA, S. et al., "A Role for TGF-β in the Generation and Expansion of CD4 ⁺ CD25 ⁺ Regulatory T Cells from Human Peripheral Blood ¹ ", <i>The Journal of Immunology</i> , 2001, 166: 7282-7289.		
	C4			

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English Language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. 1124825_1